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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CARLIN SHOUMOUN-NEJAD,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security

Defendant.

CASE NO. 5:10-cv-5264-EJD

DEFENDANT'S UNOPPOSED MOTION  
AND ~~PROPOSED~~ ORDER  
FOR EXTENSION OF TIME

Defendant respectfully requests a first extension of time of 30 days in which to file his cross-motion for summary judgment and opposition to Plaintiff's motion for summary judgment. The extension is needed because of Defendant's counsel's recent illness, which has caused ongoing absences from work due to sickness and doctor's visits. Defendant seeks such extension *nun pro tunc* from July 18, 2011, as mis-calendering and absence from work caused the late filing of this unopposed motion. With the 30-day extension, the new due date for Defendant's motion will be August 17, 2011. Plaintiff's counsel indicated that Plaintiff does not oppose the requested extension.

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1 The requested extension will cause Plaintiff's Reply to be pushed back by up to 30 days. There have  
2 been two previous time modifications in the case, each of which was a 30-day extension of Plaintiff's time  
3 to file a motion for summary judgment.

4 Respectfully submitted,

5 MELINDA L. HAAG  
6 United States Attorney


7  
8 Dated: July 27, 2011

9 By: /s/ Brenda M. Pullin  
10 BREND A. M. PULLIN  
11 Special Assistant United States Attorney

12  
13 ~~FILED~~ **PROPOSED ORDER**

14 Pursuant to Defendant's Unopposed Motion, IT IS HEREBY ORDERED that Defendant shall have  
15 a 30-day extension, up to and including August 17, 2011, in which to file his cross-motion for summary  
16 judgment and opposition to Plaintiff's motion for summary judgment.

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19 Dated: July 28, 2011

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21 EDWARD J. DAVILA  
22 UNITED STATES DISTRICT JUDGE  
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